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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,141	10/30/2003	Yoseph Yaacobi	1883 C	9765
26356	7590	10/24/2007		
ALCON IP LEGAL, TB4-8 6201 SOUTH FREEWAY FORT WORTH, TX 76134			EXAMINER ROYDS, LESLIE A	
			ART UNIT	PAPER NUMBER
			1614	
			MAIL DATE	DELIVERY MODE
			10/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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10/697,141	10/30/2003	YAACOB, YOSEPH	1883 C

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IP LEGAL, TB4-8
6201 SOUTH FREEWAY
FORT WORTH, TX 76134

EXAMINER

Leslie A. Royds

ART UNIT	PAPER
1614	20071016

DATE MAILED:

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Commissioner for Patents

NOTICE OF NON-RESPONSIVE AMENDMENT

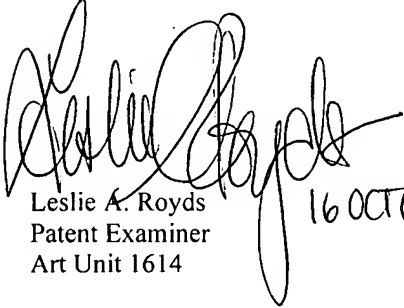
Applicant's response filed August 14, 2007 to the Requirement for Restriction/Election dated April 6, 2007, has been received and entered into the present application. Applicant's election of "drugs for the treatment of ARMD (age related macular degeneration)" as the single disclosed specie of pharmaceutically active agent is acknowledged.

It is noted, however, that Applicant has failed to satisfy the requirements set forth at pages 2-3 of the previous Office Action dated April 6, 2007 for electing a SINGLE DISCLOSED SPECIE of pharmaceutically active agent to be delivered to the eye for examination on the merits. Applicant's election of "drugs for the treatment of age related macular degeneration" circumscribes a genus of compounds not limited to a single disclosed chemical entity. Accordingly, Applicant's failure to elect a single chemical entity of drug for the treatment of age related macular degeneration for examination on the merits renders the instant response non-compliant. In response to this notice, Applicant is advised that a proper reply will set forth the SINGLE DISCLOSED SPECIE of pharmaceutically active agent to which examination on the merits will be restricted. For example, election of the compound "timolol" would constitute a proper election of a single disclosed specie for examination; however, election of "drugs for the treatment of glaucoma" is NOT a proper reply. Applicant is further advised that the response will again be held non-compliant should Applicant elect a genus of compounds for examination on the merits.


A telephone call was made on Tuesday, October 16, 2007, to clarify the election, but was unsuccessful in reaching Applicant's representative.

Since the above-mentioned response appears to be a bone fide attempt to reply, Applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction, as well as a proper response to the previous Office Action, in order to avoid abandonment. Extensions of this time period under 37 C.F.R. 1.136(a) are available.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Leslie A. Royds, whose telephone number is (571)-272-6096. The Examiner can normally be reached Monday through Friday, 9:00 AM to 5:30 PM. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Ardin H. Marschel, can be reached on (571)-272-0718. The fax phone number where this application or proceeding is assigned is (571)-273-8300.


Leslie A. Royds
Patent Examiner
Art Unit 1614

16 OCT 07


ARDIN H. MARSCHEL
SUPERVISORY PATENT EXAMINER